

NEW HAMPSHIRE REAL ESTATE COMMISSION

COMMISSION MEETING

FEBRUARY 25, 2005

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, February 25, 2005 at 8:30 a.m. in Room 425, State House Annex, 25 Capitol Street, Concord, New Hampshire 03301.

Meeting called to order at 8:30 a.m. by Acting Chairman Robert Stephen

Present: Commissioners Robert Stephen, Pauline Ikawa, Barbara Heath, Nancy LeRoy, Executive Director Beth Emmons, and Investigator Ann Flanagan.

- I. Commission approval of the Minutes of the Commission meeting held on January 18, 2005 was tabled due to the lack of a quorum of members present at the January 18th meeting.

II. **APPOINTMENTS**

8:30 a.m. - Equivalency Interviews

The following candidates were interviewed by Commissioners Robert Stephen, Nancy LeRoy and Pauline Ikawa:

CANDIDATE

DETERMINATION

KELLY MULHOLLAND

DENIED

On motion by Commissioner LeRoy, seconded by Commissioner Ikawa, the Commission denied Ms. Mulholland's experience presented as equivalent experience, pursuant to RSA 331-A:10, II (c)(3).

DOUG CAMPBELL

DENIED

On motion by Commissioner LeRoy, seconded by Commissioner Ikawa, the Commission denied Mr. Campbell's experience presented as equivalent experience, pursuant to RSA 331-A:10, II (c)(3).

The following candidates were interviewed by Commissioners Robert Stephen, Nancy LeRoy, Pauline Ikawa and Barbara Heath.

EMIL HAIRAPETIAN

TABLED

On motion by Commissioner Ikawa, seconded by Commissioner LeRoy, the Commission decided to table it's decision until Mr. Hairapetian's principal broker submits to the Commission a letter verifying Mr. Hairapetian's experience. Once the verification letter is received at the Commission, Mr. Hairpetian will be scheduled to re-appear before the Commission for a decision.

LEE STRIMBECK

APPROVED

On motion by Commissioner Heath, seconded by Commissioner LeRoy, the Commission approved Mr. Strimbeck's experience as equivalent experience required for a broker applicant.

LUISA TASSAN

After review of Ms. Tassan's experience, the Commission notified her that she did not need equivalency approval, because she satisfied the qualifications under RSA 331-A:10, II (c)(1).

9:05 a.m. – ALBERT HILL appeared before the Commission to discuss a previous legal incident prior to applying for an original salesperson's license. After review and discussion, and on motion by Commissioner Ikawa, seconded by Commissioner LeRoy, the Commission decided to table it's decision until Mr. Hill can provide to the Commission acceptable documentation.

9:20 a.m. – CHRISTIAN FLETCHER appeared before the Commission to discuss a legal incident and status of licensure. After review and discussion, the Commission tabled its decision until the Commission receives acceptable documentation from Mr. Fletcher and a letter from his principal broker. Mr. Fletcher will be required to re-appear before the Commission to discuss the matter when he submits his application for renewal of salesperson's license.

12:10 p.m. - WALTER UNGER a real estate broker appeared before the Commission to discuss whether it is permissible for a real estate broker to offer their customers and clients services as a mortgage loan officer. After review and discussion, the Commission decided to table it's decision and forward the information provided by Mr. Unger to the Attorney General's office for an opinion.

III. DISCUSSION

FILE NO. 2003-08-01 – the Complainant submitted a request to withdraw Complaint File No. 2003-08-01, based on the resolution of the parties' differences. After review and discussion, the Commission, on motion by Commissioner Heath, seconded by Commission LeRoy, decided to offer a Settlement Agreement to the Respondent.

IV. OTHER BUSINESS

1. Tuesday, March 15, 2005, was unanimously approved as the date for the next regular meeting.

2. CASE EVALUATIONS

(a) FILE NO. 2003-01-02

Evaluator: Commissioner Heath

Determination: Should be heard, hearing to be scheduled.

(b) **FILE NO. 2004-016**

Evaluator: Commissioner Heath

Determination: Should be heard, hearing to be scheduled.

(c) **FILE NO. 2004-028**

Evaluator: Commissioner LeRoy

Determination: No violation, should not be heard.

(d) **FILE NO. 2004-034**

Evaluator: Commissioner Heath

Determination: No violation, should not be heard.

The above determinations were unanimously approved by the Commission.

V. **HEARING 9:45 AM**

FILE NO. 2003-04-04 LOUIS ELSTON VS ROBERT ALLARD, JOY MERRILL & DEBRA BALL (CENTURY 21 ALLARD & MERRILL REALTY, INC.)

Evaluator: Commissioner Slattery

The following persons were present at the hearing:

Commission: Commissioners Robert Stephen, Pauline Ikawa, Barbara Heath, Nancy LeRoy, Executive Director Beth Emmons and Investigator Ann Flanagan.

Stenographer: Camille M. Palladino-Duffy

Nolin, McKenna & Duffy Reporting
Associates
P.O. Box 1658
Dover, NH 03821-1658

Evaluator: Commissioner Slattery evaluated the above matter and abstained from participation in the discussion and resulting decisions.

Complainant: Louis G. Elston

8 Brendan Road
Atkinson, NH 03811

Attorney: Pro Se

Witnesses: None

Respondents: Robert Allard

NRT New England
Coldwell Banker Residential Brokerage
10 South Broadway
Salem, NH 03079

Joy A. Merrill

NRT New England
Coldwell Banker Residential Brokerage
89 Main Street
Plaistow, NH 03865

Debra Ball

NRT New England
Coldwell Banker Residential Brokerage
115 W. Broadway
Derry, NH 03038

Attorney: Pro Se

Witnesses: Frank Taillon
Jean Hirsch

DECISION: Pending – subject to review of transcripts and exhibits.

VI. **HEARING 11:15 AM**
FILE NO. 2004-008 NEW HAMPSHIRE REAL ESTATE COMMISSION VS GILBERT COX
FILE NO. 2004-009 NEW HAMPSHIRE REAL ESTATE COMMISSION VS GILBERT COX

Evaluator: Commissioner Heath

The following persons were present at the hearing:

Commission: Commissioners Robert Stephen, Pauline Ikawa, Nancy LeRoy, Executive Director
Beth Emmons and Investigator Ann Flanagan.

Stenographer: Camille M. Palladino-Duffy

Nolin, McKenna & Duffy Reporting
Associates
P.O. Box 1658
Dover, NH 03821-1658

Evaluator: Commissioner Heath evaluated the above matter and abstained from participation in the discussion and resulting decisions.

Complainant: NH Real Estate Commission through its Investigator Ann Flanagan

Attorney: Pro Se

Witnesses: None

Respondent: Gilbert Cox

816 Elm Street #157
Manchester, NH 03101

Attorney: Pro Se

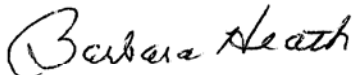
Witnesses: None

DECISION: Pending – subject to review of transcripts and exhibits.

VII. **ADJOURNMENT**

Motion by Commissioner Ikawa, seconded by Commissioner Heath to adjourn the meeting. Commissioner LeRoy adjourned the meeting at 1:00 p.m.

Respectfully submitted,


Barbara Heath
Clerk